EXPLANATION OF

34

فروع الفقه

Ibn al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allāh (سبحانه وتعالى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه وتعالى) keep him sincere, and continue to shower his life and Da'wah with His blessings, and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allāh make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allāh facilitate the completion of this Sharh and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

SHAYKH AHMAD MUSĀ JIBRĪL

بسم الله الرحمن الرحيم

الحمد لله رب العالمين، والعاقبة للمتقين، والصلاة والسلام على عبده ورسوله وخليله وصفوته من خلقه، نبينا وإمامنا وسيدنا محمد، وعلى آله واصحابه ومن سلك سبيله واهتدى بهداه الى يوم الدين، اما بعد:

Recap

We're on the nullifiers of Wudū' and the author رحمه الله تعالى said,

والنواقض في الطهارة الصغرى ثمانية

There are eight nullifiers of Wudū':

1. الخارج من السبيلين, anything exiting from the two private parts.
2. والفاحش من غيرهما, what's repulsive that exits from other than the two private parts.
3. Then, matters pertaining to sleeping, وزوال العقل بغير نوم يسير جالسا أو قائما.
4. The fourth and fifth one are ومس الفرج والمرأة لشهوة, touching the private parts,
5. and a woman with desire (والمرأة لشهوة).
6. Then, eating the meat of a camel, وأكل لحم الإبل.
7. The seventh one is والردة, apostasy.

8. The eighth one that the author did not detail was — he mentioned that there are eight, but he didn't detail the eighth one — washing the deceased. We said it was from Mufradāt Al-Madhhab Al-Hanbali and that it's not a nullifier because there's no authentic clear proof to indicate so.

After the eight that the author mentioned, we took additional nullifiers, because we're teaching this booklet on the various Madhāhib.

9. The next one that we mentioned is القهقهة في الصلاة, laughing in Salāh. We said it's not a nullifier because there's no clear, authentic proof on that.
10. The tenth nullifier is الوضوء بالشك, and we finished what pertains to this in the last class. Wudū' when in doubt. The rule for that nullifier is مَن تيقَّن الطَّهارة وشكَّ في الحدث فهو متطهر، ومَن تيقَّن الحدثَ وشكَّ في الطَّهارة فهو مُحدِث. That rule for that nullifier was taken from the overall rule or Fiqh principle اليقين لا يزول بالشك, whatever is established by certainty is not removed by doubt. Last class we took two Masā'il:

    1. Is it better for one to renew his Wudū' when he's certain? He's on Yaqīn he's on Wudū' but has some doubt. Is it better for him to just go and renew the Wudū' in the scenarios that we mentioned?
    2. The second Mas'alah that we took is that if one is on Yaqīn, he's on certainty, that he nullified his Wudū'. He did it in Salāh, for example, but he didn't hear or smell anything, and the Hadīth specifies smelling or hearing something — is his Wudū' valid or not?

Nullifier #11 – كل موجب للغسل موجب للوضوء

Now the eleventh and final nullifier. This is the final class on the nullifiers of Wudū'. The eleventh nullifier is what some Ulamā' mention as a rule: everything that requires major impurity requires a minor impurity. Everything that requires a Ghusl requires Wudū'. كل موجب للغسل موجب للوضوء. كل ما يوجب الحدث الأكبر فإنه يوجب الوضوء. Different ways to say the same thing. Everything that requires the major impurity requires the minor impurity. كل ما اوجب غسلا اوجب وضوءا.

If someone has a major impurity, it means he needs to do full Ghusl, a full shower. The simplest way to put this nullifier is, "Does that shower encompass Wudū' or must he do the Ghusl and do a Wudū' with it?" The issue of making Wudū' before Ghusl is Sunnah by all four Madhāhib, to the point some related an Ijmā' on that. An Ijmā' on what? That it's Sunnah.

I. The issue we have at hand is some consider the major impurification a nullifier of Wudū'. If something caused a major impurification, it caused a minor impurification along with it. So, the bottom line, simplest way to put it is "Must one do Wudū' when doing Ghusl from a major impurification?"

    - The first opinion is whatever requires a Ghusl requires a Wudū', except death. One must make Wudū' or have the intention to remove the minor impurity when performing the Ghusl. What they mean by "except death" is that when one dies Ghusl is Wājib, he must be washed. Obviously, the Muslims wash that deceased person, but the Ghusl in itself is Wājib. They

said in that circumstance Ghusl is Wājib, but not Wudū'. In all other Ghusls, Wudū' or its intention is Wājib. That's the popular opinion of the Hanābilah and some of the Mālikīyyah chose it. Their proof is, they said if there's major impurity, then it's essential that there is a minor impurity as well. If one does not make Wudū' or the Niyyah for it in Ghusl, then the minor impurity is not removed. That person did not make the intention to remove the minor impurity, and the Hadīth says,

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ

- The second opinion is that all that's required is the Ghusl. Wudū' is not essential. This is the opinion of the Jumhūr, which includes a second opinion of the Hanābilah and a second opinion of the Mālikīyyah . Ibn Taymiyyah chose it, some Sahābah like Ibn 'Umar and Hudayfah and others chose this opinion. Their proof is the verse,

وَإِن كُنتُمْ جُنُبًا فَٱطَّهَّرُواْ

If you are in the state of Janābah (where you're required to do a full Ghusl) then purify yourselves.

That's the verse. If you are in the state of Janābah, purify yourselves. How is this proof? The Ulamā' here said if Wudū' was Wājib as part of Ghusl, Allāh سبحانه وتعالى would have mentioned it in the verse, and it's not mentioned in the verse.

Number two, a Hadīth we took in the past in these classes. The man was on Janābah and they were on a journey and there was no water. So he did Tayammum. Then, when they found water, the Messenger ﷺ gave him water and he said,

اذهب فأفرغه عليك

Take this water and pour it over yourself.

When they found water, they drank, the animals quenched their thirsts, and after all that, the Messenger ﷺ gave a pot of water to that person who was Junub and he told him, اذهب فأفرغه عليك. Take this water and pour it over yourself. Take this water and pour it over your body. How is that proof? He's Junub. He needed a full Ghusl. The Messenger ﷺ said, "Take this and pour it over your body." Had Wudū' been essential, the Messenger ﷺ would have said, "Take this water, pour it over your body, and make Wudū'." Or "Make Wudū' and then pour it over your body."

Number three, the Hadīth we took in the past as well. Hadīth Umm Salamah رضي الله عنها. When she asked about her plaited hair while on a major impurity, how she should make a Ghusl. The Messenger ﷺ said, "It's enough for you to pour three handfuls of water over your head, and then pour water over your entire body, over your entire self, and that will purify you."

إِنَّمَا يَكْفِيكِ أَنْ تَحْثِي عَلَى رَأْسِكِ ثَلَاثَ حَثَيَاتٍ ثُمَّ تُفِيضِينَ عَلَيْكِ الْمَاءَ فَتَطْهُرِينَ

إِنَّمَا — حصر — Only. *All* you need to do is pour water over your head and then pour water over your entire body. And then you will become pure. How is that proof? The Messenger ﷺ guided her to that but didn't require her or tell her to do Wudū', just like the previous Hadīth.

A fourth proof. Some scholars like Ibn Hajr, Abu Bakr Ibn Al-'Arabi went as far as claiming in Ijmā' that Wudū' from Janābah is not Wājib, that Wudū' is an included part of the Ghusl. When one bathes, that's sufficient, that's enough. Ibn 'Abd Al-Barr agreed with them but contested the Ijmā' because Dāwūd Adh-Dhāhiri disagreed.

A fifth proof is Ibn 'Umar. He was asked about Wudū' after Ghusl. He said, "What Wudū' can be more encompassing than a Ghusl?" Meaning it's included in the Ghusl and it's not needed. And in another narration, Ibn 'Umar was asked by someone, he said, "I make Wudū' after my Ghusl." Ibn 'Umar رضي الله عنهما said, "You went to extreme." There are similar opinions related by Hudayfah and other Sahābah. That's the second opinion.

- The third opinion is the opinion of Dāwūd Adh-Dhāhiri that Wudū' is required as a condition and part of Ghusl. He used the verse,

وَإِن كُنتُمْ جُنُبًا فَٱطَّهَّرُواْ

The verse we just mentioned earlier, he used it in a different way. He said, "If you're in the state of Janābah, you need to purify yourselves," that's broad. He said the Messenger ﷺ made Wudū' before his Ghusl. The verse says, فَٱطَّهَّرُواْ, purify yourselves. That's broad. This is what he's saying. He said the verse فَٱطَّهَّرُواْ is broad. The action of the Messenger ﷺ consistently making Wudū' as part of his Ghusl is part of that Wājib. That's a very strong opinion. Had it not been for the Hadīth of the Bedouin that I just mentioned and Hadīth Umm Salamah, that would have been a strong opinion.

Ar-Rājih

Now the Rājih is that for major impurity, for Janābah, all that's required is a Ghusl. Allāh سبحانه وتعالى says,

وَإِن كُنتُمْ جُنُبًا فَٱطَّهَّرُواْ

It's broad. No Wudū' requirement is in that verse. Whoever washes his entire body with the Niyyah of removing the major impurity, he can make the Salāh and 'Ibādāt that require Tahārah, and it's supported by Hadīth Umm Salamah and the

Bedouin, when the Messenger ﷺ guided them about Ghusl but didn't mention Wudū'. If you look at the verse, وَإِن كُنتُمْ جُنُبًا فَٱطَّهَّرُواْ, go to the start of it.

يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا قُمْتُمْ إِلَى ٱلصَّلَوٰةِ

O you who believe, when you get up to stand for Salāh…

When you get up to offer Salāh, you either have a minor impurity or a major impurity. If it's a minor impurity, we have the details,

فَٱغْسِلُواْ وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى ٱلْمَرَافِقِ

Wash your faces, your hands up to the elbows…

And your heads, and the feet up to the ankles. It's in the verse. That part of the verse is for minor impurity. Then it goes on to mention the major impurity.

وَإِن كُنتُمْ جُنُبًا فَٱطَّهَّرُواْ

If you're in the state of Janābah, then purify yourselves.

Meaning, bathe your whole body, do Ghusl, but there's no Wudū' mentioned in it. The verse is detailed. It mentions one who gets up for Salāh, if he has minor impurity, what to do, and if he gets up for Salāh with major impurity, what to do. If Wudū' was Wājib as part of the Ghusl, it would have been specified in the verse.

What's odd about the opinion, the first opinion, requiring Wudū' or its intention for Ghusl is that they said one must do Wudū' or have the Niyyah of it when he does his Ghusl. The exception they made is if one is deceased, if he is dead. Ghusl must be performed on one who is deceased. They said that status, that situation, is an exception where we must do Ghusl upon him, but no Wudū' is required in that situation. In addition to it being the weaker opinion, there is a Hadīth specifying or recommending Wudū' for washing the deceased. When the Messenger's daughter died, he ordered Umm 'Atiyyah who supervised washing his daughter, he said,

ابْدَأْنَ بِمَيَامِنِهَا وَمَوَاضِعِ الْوُضُوءِ منها

Start from her right side and with the parts of body which Wudū' are performed.

The Hanābilah, who require Wudū' or its Niyyah, said that the deceased must be washed, but no Wudū' is required in that situation. They clearly made that an exception. Yet there is a Hadīth of Umm 'Atiyyah recommending that for a deceased. The inconsistency is that they don't require Wudū' with the Ghusl of the deceased when there is the Hadīth of Umm 'Atiyyah recommending to start with the Wudū' parts. But on the other hand, they require Wudū' for one alive doing Ghusl from Janābah when there's no specific order recommending that for one who's alive from Janābah.

And with this, بحمد الله, we conclude the nullifiers of Wudū'. And I've been repeating the author's statements of the Matn in the beginning so we can memorize it. If one hears it at the start of the class, he should have it memorized without putting effort into memorizing it. I've heard children, maybe at the age of five, their parents sent me videos where they repeat the introduction of my class along with the beginning parts of the Matn. The parents listened to it so much that the children memorized it.

We said the author mentioned eight nullifiers of Wudū', when he went to detail them out, he mentioned seven, left out the eighth. We mentioned the possibilities behind that, then we mentioned three more nullifiers of Wudū' mentioned by other Madhāhib and Ulamā'. Alhamdulillāh, we went over deep details. If you know them and you studied them, you should be truly proud of yourself, and I say this to encourage you. From what I was informed from those who reach out to me or from the students who conduct the tests that were given, Alhamdulillāh Rabb Al-'Ālamīn we have a large group of attentive brothers and sisters globally studying with us. May Allāh سبحانه وتعالى grant them beneficial knowledge and may Allāh سبحانه وتعالى make it means for them to attain Firdaws. If you master the details we took, you have a comprehensive understanding on these issues according to the Madhāhib, and I don't think many know how much research this saves one. It saves you research beyond what many can imagine or what many are able to do, because they don't possibly have the references. What you attain, بحمد الله, in these classes is more than what many universities who specialize in Fiqh cover, Alhamdulillāhi Rabb Al-'Ālamīn. What's left is some more details, sometimes, in the books of Fiqh. I won't say it's like the icing on the cake that's left, because you got the cake and you got the icing Inshā'Allāh. What may be left at times is a little bit of colored sprinkles. We sent surveys to change the class into Arabic — I

prefer them to be taught in Arabic — but the overwhelming majority of our beloved students suggested English. It's possibly a good idea because even if one is in the early stages of Arabic, this stuff may be difficult to understand. So along with the efforts you put in these classes, put your effort into mastering Arabic.

The next Halaqah we'll start on pertains to the requirements or what necessitates the major ritual ablution. There's six of them. He says,

وَفِي الطَّهَارَةِ الْكُبْرَى سِتَّةٌ:

١ – الْمَنِيُّ الدَّافِقُ بِلَذَّةٍ

٢ – وَالْتِقَاءُ الْخِتَانَيْنِ

٣ – وَإِسْلَامُ الْكَافِرِ

٤ – وَالْحَيْضُ

٥ – وَالنِّفَاسُ

٦ – وَالْمَوْتُ

So the next class inshā'Allāh we'll start on what necessitates Ghusl. The next paragraph is what you'll need to start memorizing — what causes Ghusl — and let me go over them. You can fix the Tashkīl or add it.

وَفِي الطَّهَارَةِ الْكُبْرَىٰ سِتَّةٌ وَفِي الطَّهَارَةِ الْكُبْرَىٰ سِتَّةٌ

1. المنِيُّ الدَّافِقُ بِلَذَّةٍ, ejaculation of sperm with desire.
2. وَالتِقَاءُ الْخِتَانَيْنِ, intercourse, the meeting of the two private parts.
3. وَإِسْلَامُ الْكَافِرِ, when a non-Muslim becomes Muslim.
4. وَالْحَيْضُ, menstruation.
5. The fifth one, وَالنِّفَاسُ, the bleeding after childbirth, the postnatal bleeding.
6. The sixth one, وَالْمَوْتُ, death.

With this we'll conclude Jazākum Allāhu Khayrā.

وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم